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Committee on the Elimination of Discrimination against Women
Sixty-third session

Summary record of the 1391st meeting
Held at the Palais des Nations, Geneva, on Friday, 26 February 2016, at 10 a.m.

Chair: Ms. Hayashi

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Combined seventh and eighth periodic reports of the United Republic of Tanzania

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of the United Republic of Tanzania (CEDAW/C/TZA/7-8; CEDAW/C/TZA/Q/7-8 and Add.1)

1. *At the invitation of the Chair, the delegation of the United Republic of Tanzania took places at the Committee table.*

2. **Mr. Mero** (United Republic of Tanzania), introducing the State party's combined seventh and eighth periodic reports (CEDAW/C/TZA/7-8), said that the United Republic of Tanzania was committed to fulfilling the obligations that it had assumed under the Convention and its Optional Protocol and was currently undertaking broad-based consultations with a view to giving effect to the amendment to article 20, paragraph 1, of the Convention as soon as practicable. The Government was working towards achieving the Sustainable Development Goal on gender equality by mainstreaming gender issues in the national development framework and ensuring the availability of data for use in monitoring the progress made towards the full realization of women's rights and gender equality on the ground. The Government was also undertaking a review of the National Strategy for Growth and Reduction of Poverty, the National Five-Year Development Plan and the Zanzibar Poverty Reduction Strategy with a view to identifying the gender-related issues that were not dealt with effectively in those instruments so that they could be addressed in future strategies.

3. As part of its efforts to eradicate all forms of discrimination against women, the Government was taking steps to improve its legal framework and had adopted a number of plans, including the National Plan of Action for the Prevention and Eradication of Violence against Women and Children 2001-2015. The government of Zanzibar was also in the process of devising a five-year action plan to combat violence against women and children. The Working Group on Gender Mainstreaming and Macro Policy, which was co-chaired by the Government and UN-Women and composed of government officials, development partners and civil society representatives, had been established to oversee the process of gender mainstreaming and to ensure that sufficient resources were allocated for projects to promote gender equality and women's empowerment. The Working Group had undertaken activities to build the capacity of a number of government ministries; played a role in preparing the report for the 20-year review of the implementation of the Beijing Declaration and Platform for Action (Beijing + 20) and periodic reports for consideration by the Committee; produced guidelines on gender mainstreaming for the economic policy initiative "Big Result Now"; and helped to promote the use of gender-responsive budgeting. Its work in the area of gender budget analysis had led to an improvement in maternal services and to the allocation of increased budgetary resources for the prevention of gender-based violence. The Zanzibar Working Group on Gender Mainstreaming was also focusing on mainstreaming gender issues in a range of policies, plans and programmes and had taken part in the review of the Zanzibar Poverty Reduction Strategy.

4. Aware of the need to ensure the equal participation of women and men in economic activities and their equal access to resources, the Government had set up a special development fund for women that had provided loans to female entrepreneurs from 2010 to 2015. The Zanzibar Economic Empowerment Fund had provided 286 loans to some 9,000 entrepreneurs, of whom around 5,700 were women. Moreover, the Tanzania Women's Bank had provided loans to approximately 59,000 women, as well as entrepreneurship training. The number of rural entrepreneurs receiving loans had increased from 86 in 2012 to around 3,200 in 2015.

5. The Government continued to work to increase the participation of women in decision-making bodies, including the national parliament, where the number of seats reserved for women had grown from 75 in 2005 to 102 in 2010, and it had thus already surpassed the 30 per cent target for women's representation that had been set for 2015. The draft Constitution included a target of 50 per cent for women's representation in the national parliament. The number of female judges and magistrates had increased from 8 per cent in 2005 to 50 per cent in 2015. Furthermore, a woman now held the position of Vice-President.

6. The Government had taken a number of measures to prevent and combat female genital mutilation, including the inclusion of a definition of that practice as a specific offence in the Criminal Code and the adoption of a national plan of action to accelerate the eradication of female genital mutilation and other harmful traditional practices. Furthermore, the recent launch of a comprehensive outreach and awareness-raising programme had successfully reduced the prevalence of that practice in some of the regions and communities where it had been the most common. The combined efforts of the central government, local governments, local communities and the media, with the support of the United Nations and women's rights organizations, had begun to yield positive results in that area. The awareness of local communities and young girls of the dangers associated with female genital mutilation had increased, and the practice was gradually being abandoned in favour of alternative rites of passage. That trend had been confirmed at the International Day of Zero Tolerance for Female Genital Mutilation 2016, which had been celebrated in the Singida Region of the United Republic of Tanzania.

7. As part of its efforts to put an end to child marriage, in 2009 the Government had passed the Law of the Child Act, which had amended the Law of Marriage Act of 1971 by raising the age of majority to 18. Persons entering into marriage with a child could now be prosecuted under the Law of the Child Act, which prevailed over the Law of Marriage Act for the purposes of establishing the age of a child.

8. Regulations 27 and 28 of January 2015 had given effect to the National Anti-Trafficking in Persons Action Plan 2013-2017, whose provisions focused not only on preventing human trafficking but also on protecting, rescuing and rehabilitating victims. Resources for the implementation of the Action Plan would be allocated under the 2016-2017 budget.

9. The Government had also taken measures to combat discrimination against persons with albinism. Those measures included expediting the investigation, arrest and prosecution of perpetrators of discrimination against members of that group and launching media outreach and information campaigns. In that connection, the Government had undertaken a review of the Witchcraft Act and the Traditional and Alternative Medicine Act in an effort to find additional methods of stopping persons with albinism from being attacked and/or killed by persons who associated albinism with witchcraft and the supernatural.

10. While the United Republic of Tanzania remained committed to implementing the 2030 Agenda for Sustainable Development and to eradicating all forms of discrimination against women and girls, it would require continued assistance from its development partners to achieve that goal.

Articles 1 to 6

11. **Mr. Bruun** said that the Committee was deeply concerned by the lack of progress made by the State party in incorporating the Convention into its domestic legal order; in adopting a definition of gender-based discrimination that was in line with the one contained in article 1 of the Convention; and in amending laws which discriminated against women. Noting that the adoption of the draft Constitution would introduce positive reforms in that

regard but that the referendum on constitutional reform scheduled to take place in 2015 had been cancelled, he asked when that referendum was likely to take place and whether the draft Constitution was in full compliance with the Convention. The setbacks in adopting the new Constitution notwithstanding, he failed to understand how they prevented the State party from amending and/or repealing discriminatory laws. He recalled that the State party had adopted the Convention without reservation and was obliged to take steps to eliminate discriminatory practices stemming from the continued existence of such laws. In that connection, the fact that customary law, which was often discriminatory towards women, was part of the State party's legal framework was also a cause for concern. Since Section 12 of the Judicature and Application of Laws Act provided that communities, through their district council, could request the judiciary to modify or repeal customary laws that they deemed to be discriminatory, he would appreciate additional information on the procedure for doing so and the scope of that provision.

12. The Committee had noted that women in the United Republic of Tanzania still faced many obstacles in gaining access to justice and wished to invite the State party to avail itself of the guidance contained in the Committee's general recommendation on the subject with a view to remedying that situation. While the drafting of the legal aid bill designed to formalize legal aid services and guarantee marginalized and vulnerable groups access to justice was a positive development, he would be interested to learn of other measures taken by the State party to guarantee women access to justice. Since, to date, only 14 judges had been provided with training on the Convention and the Optional Protocol, he wished to know what the State party was doing to ensure that all judges and lawyers received training in relation to those instruments as a matter of course. Lastly, as the Committee had recently taken a decision on the first communication concerning the United Republic of Tanzania to have been submitted under the Optional Protocol, he would be interested to know how the State party planned to enforce that decision.

13. **Mr. Mero** (United Republic of Tanzania) said that incorporating the Convention into the domestic legal order was an incremental process and was often resource-intensive. As part of its strategy to increase the visibility of the Convention and the Optional Protocol, the Government had conducted training activities for government officials, judges, magistrates and judicial officers. Statistics on the number of persons who had received such training could not be provided at the present time. The Government also worked with non-State actors to conduct community-based programmes to promote women's rights, often through the media, and had translated the text of the Convention and the Optional Protocol into Swahili. Moreover, a human rights component had been incorporated into primary, secondary and higher education curricula. The Government had also taken steps to strengthen the national machinery for the advancement of women on the mainland and in Zanzibar.

14. **Ms. Mayao** (United Republic of Tanzania) said that, once the constitutional reform process had been completed and the new Constitution had been adopted, the Government would proceed to review all the laws considered to be discriminatory towards women. The recommendations on discriminatory laws made by the Law Reform Commission had been reflected in the draft Constitution. Pending the adoption of the draft Constitution, the Government had taken a number of steps to address discriminatory and harmful practices, such as passing the aforementioned Law of the Child Act as a means of reducing the prevalence of early marriage. It was unclear when the referendum on constitutional reform would take place, as a new Administration had just taken office and needed to review the text of the draft Constitution.

15. One of the major obstacles to women's access to justice was the fact that many women were simply unaware of their legal rights and so did not assert them. To remedy that situation, the Government was working to raise human rights awareness among women,

particularly women living in remote areas, through a range of activities. The legal aid bill had previously been submitted for approval but had then been withdrawn because, with the advent of the new Administration, the recently appointed ministers needed to review the text before it was submitted to the national parliament.

16. Customary laws were codified and could not be repealed without just cause. Laws considered to be discriminatory towards women had to be challenged and repealed through the established channels. Under Section 12 of the Judicature and Application of Laws Act, district councils could challenge customary laws of that nature but only if the corresponding petition had been lodged by members of the community. The judiciary had found in favour of petitioners in several cases.

17. The United Republic of Tanzania had based its observations on the communication that had been mentioned by Mr. Bruun on Section 12 of the Judicature and Application of Laws Act. It was of the view that the authors of the communication had not exhausted all the domestic remedies available to them and had referred the case to the Committee without having followed the procedures that had been outlined for them when the case had been referred to the High Court. The authors of the communication had been encouraged to bring the matter before their local district council.

18. **Ms. Patten** said that, after having examined the State party's observations on the admissibility of the communication, the Committee had found it to be admissible. In its subsequent consideration of the communication on its merits, it had found the State party to have violated the authors' rights. The decision contained a series of recommendations, which the State party should act upon without delay. The State party should then submit information on the steps taken to comply with those recommendations to the Committee within six months.

19. **Ms. Nwankwo** said that she would like to know whether, during the process of codifying customary law, efforts had been made to align it with statutory law and thus with the Convention. Had the State party considered extending the scope of application of the Law of the Child Act, which stipulated that all persons under the age of 18 were to be considered children, to cover Zanzibar? She also wondered what was done when the application of the Law of Marriage Act and of the Law of the Child Act conflicted. It should be recalled that a number of statutory laws, particularly those governing property and divorce, were indirectly discriminatory because they required the courts to take the provisions of customary laws that were directly discriminatory into account when adjudicating related claims. How did the State party reconcile such a discrepancy?

20. **Ms. Mayao** (United Republic of Tanzania) said that the Law of the Child Act of 2009 had amended certain sections of the 1971 Law of Marriage Act. While those two laws contained conflicting definitions of the age of majority and marriageable age, it was the provisions on those subjects contained in the Law of the Child Act that prevailed. The goal was to gradually put an end to the practice of child marriage by ensuring that children remained in free primary and secondary education and, ultimately, by amending the provisions in the Marriage Act that allowed 14- and 15-year-olds to marry.

21. Training for judges, law enforcement officials and other stakeholders concerning the provisions of the Convention on the Elimination of All Forms of Discrimination against Women was an ongoing process but was subject to the available funding.

22. Customary laws had been harmonized with statutory laws by means of their codification. Although the formal legal system normally prevailed, it depended on whether the complaint had been made through the customary system or through formal legal channels. It was for each community to decide whether to abandon custom in favour of the formal legal system.

23. Article 53 of the proposed Constitution clearly stated that all forms of discrimination, including those embedded in custom or tradition, were to be eliminated. Once approved, it would remove any remaining legal impediments to women's enjoyment of their rights. Women were legally entitled to an equal share of the property of their deceased husbands or to inherit clan land. There were, however, restrictions on the selling of clan land if the woman remarried.

24. **Ms. Patten** said that, in accordance with the procedure for the consideration of communications under the Optional Protocol, the Committee had issued its Views on the merits of the first case involving the United Republic of Tanzania in March 2015. The State party was required to provide information within six months on the measures being taken to give effect to the Committee's decision. A number of the Committee's previous concluding observations had not been acted upon, and she would therefore be interested to learn whether there were plans to establish a national action plan for the implementation of the Committee's recommendations.

25. **Mr. Mero** (United Republic of Tanzania) said that, while the State party was committed to the implementation of the Convention, that had to be done incrementally. The financial and budgetary implications for a country relative to its capacity had to be taken into account, particularly when that country relied upon a significant amount of budget support.

26. Regarding the communication, the position of the Government was that the Committee had not had jurisdiction in the case, since the requirements set forth in article 4 of the Optional Protocol had not been met. All available domestic remedies had not been exhausted by the authors prior to submitting the communication to the Committee.

27. **Ms. Patten** said that the Committee would be grateful if the State party's observations regarding the communication could be formally transmitted by means of the appropriate procedure.

28. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that the Zanzibar Children's Act of 2011 had incorporated the key international standards on the protection of children. A five-year juvenile justice reform strategy had been launched in 2015 to facilitate the implementation of that law.

29. **Ms. Haidar** said that she wished to know how many of the 2,280 posts in the Ministry of Community Development, Gender and Children were devoted exclusively to gender issues and how significant the increase in funding allocations was in terms of the percentage of the overall budget that it represented. The establishment of the Working Group on Gender Mainstreaming and Macro Policy was a positive development, but it was unclear how the Group worked with communities and civil society organizations to mainstream gender policies and programmes at the grass-roots level. Information should also be provided on the monitoring and evaluation of that mechanism and on any constraints that had been identified.

30. **Ms. Nwankwo**, while acknowledging that the use of reserved seats in the legislature had significantly increased the number of women parliamentarians and enhanced women's capacity to stand for election, said that the Committee had received reports that the system was open to abuse by politicians who used those seats for purposes of political patronage. She wished to know what measures were in place to ensure that only qualified women candidates could be nominated for those seats. She urged the State party to apply temporary special measures in other areas where women were underrepresented, such as in public administration, education and private companies. Lastly, the Village Land Act provided that two or three of the five or seven members of village land councils had to be women. She would like to know how fully that provision had been implemented and what impact it had had.

31. **Mr. Mero** (United Republic of Tanzania), referring to the questions posed by Ms. Haidar, said that the State party would provide the requested information and statistics in writing. As to the issue of reserved seats in the legislature for women candidates, constituents were very keen to elect candidates who had university educations and, as a result, all the men and women candidates were highly qualified. Patronage and tribalism would largely be blocked by the fact that the election process was very much a merit-based system.

32. **Ms. Juma** (Zanzibar, United Republic of Tanzania) said that several structures and mechanisms were in place to further gender mainstreaming and raise awareness of women's rights at the grass-roots level. By way of example, women and children coordinators were conducting training and awareness-raising campaigns, and parenting groups provided training on women's and children's rights.

33. **Ms. Mayao** (United Republic of Tanzania) said that having at least two or three women members on land councils had certainly had an impact on the settlement of land disputes, with more decisions now being made in favour of women complainants.

34. **Ms. Al-Dosari**, noting that a law had been enacted to outlaw female genital mutilation of girls under 18, said that she wished to know whether that practice was also banned in the Sexual Offences Special Provisions Act and, if so, whether it covered persons over 18 as well. She would like to know what steps had been taken to prosecute and punish perpetrators of female genital mutilation; ensure that victims had access to proper psychosocial and medical care; and put an end to the practice of female genital mutilation, which remained prevalent in certain regions, particularly in the case of newborns. She wished to know whether a comprehensive strategy had been developed to combat gender stereotyping which provided for collaboration with traditional and community leaders and women's organizations. If so, what results had been achieved? Lastly, information would be welcome on the measures that had been taken to prevent prevalent harmful practices such as early and forced marriage, polygamy, and ritual killings and attacks on persons with albinism.

35. **Ms. Jahan**, while commending the State party's efforts to address gender-based violence through legislative and other measures, said that violence against women, particularly sexual violence and rape, was still prevalent in rural areas. She wished to know whether a structured mechanism had been put in place to monitor the National Plan of Action for the Prevention and Eradication of Violence against Women and Children 2001-2015 and, if so, what the results had been. Were there plans to enact comprehensive legislation to prohibit all forms of violence against women, including marital rape, domestic violence and early marriage, and to ensure that the perpetrators of such acts were prosecuted and the victims provided with adequate protection and assistance? She also wished to know whether the State party intended to introduce a blanket ban on all harmful practices, including female genital mutilation, irrespective of age, and whether the Law of the Child Act would prevail over the Law of Marriage Act in cases involving the prosecution of perpetrators of child marriage. Were there plans to amend the provisions of the Marriage Act dealing with the age at which it was permissible for people to marry?

36. Incidents of violence against women, particularly sexual violence, were underreported, and prosecution and conviction rates were low. What percentage of reported cases had been prosecuted and how many of those had resulted in a conviction? She would also like to know what steps were being taken to increase the human and financial resources allocated to the gender desks at police stations and to provide separate rooms in stations where victims could be interviewed. Were there any plans to establish State-run shelters for victims? Disaggregated data, particularly with regard to the ages, regions of residence and relationships between perpetrators and victims, would be useful.

37. **Ms. Nadaraia**, referring to article 6 of the Convention, said that in the light of the positive measures implemented to prevent trafficking in women and girls, she wished to know whether the State party had any data on the scale of trafficking of women and girls and on the services provided to victims. She would also be interested to know whether an impact assessment of anti-trafficking policies had been conducted and, if so, what the results had been. How many shelters for women victims of trafficking were there in the State party and what measures were being taken to rehabilitate the victims of that crime and reintegrate them into society?

38. While prostitution was a criminal offence in the State party, the report had been silent on the prevalence of prostitution and on whether measures had been adopted to provide alternative life choices for prostitutes. She would be interested to know whether both prostitutes and clients were subject to prosecution and how many such prosecutions there had been. Since information received by the Committee indicated that the laws on prostitution undermined the effectiveness of HIV/AIDS programmes and encouraged human rights abuses, it would also be useful to know whether any health services had been made available to prostitutes for the prevention of the transmission of HIV/AIDS.

39. **Ms. Mayao** (United Republic of Tanzania) said that female genital mutilation was absolutely prohibited under the laws of Tanzania irrespective of the age of the victim. Aggrieved persons over the age of 18 years old who were not covered by the specific provisions on female genital mutilation contained in the Criminal Code could seek justice under the provisions guaranteeing protection against grievous bodily harm. The Government had no plans to introduce a separate law on female genital mutilation as it had not encountered any problems in bringing cases to trial under the existing provisions of the Criminal Code. Statistics indicated that the Government's various advocacy and awareness-raising campaigns were bearing fruit, but it was nonetheless true that, in some areas, changing entrenched practices and attitudes remained a huge challenge.

40. The provisions of the Law of the Child Act prevailed over those of the Marriage Act when it came to determining the age at which young persons ceased to be minors for the purpose of engaging in legal proceedings and the remedies available to them in the event of grievances. The Government had been working hard to increase the number of gender desks available in police stations, to ensure that the desks were properly staffed with trained officers, to guarantee the availability of separate rooms for receiving and interviewing victims and to increase the number of State-run shelters.

41. **Mr. Khalfan** (Zanzibar, United Republic of Tanzania) said that standard operating procedures had been established for gender desks in Zanzibar and that each desk was staffed by at least two specially trained officers. The authorities were reviewing current legislation with a view to incorporating a definition of gender-based violence that would be in line with the Convention and were working with various stakeholders to develop a five-year action plan to address violence against women and children.

42. **Mr. Kabendaguza** (United Republic of Tanzania) said that the fact that few cases of gender-based violence were reported and, of those that were, very few resulted in convictions was due, at least in part, to the fact that the perpetrators were all too often family members. Even when the offender was not part of the family unit, victims were often reluctant to report the offence and cooperate with investigators because of the shame and stigma that the entire family would suffer as a result. The Government was doing all it could to encourage greater openness.

43. **Ms. Jahan** asked why the State party had not introduced a comprehensive ban on female genital mutilation and raised the minimum age of marriage for girls to 18 years. Its legal framework would be considerably simplified if it did. Likewise, a comprehensive law against gender-based violence, if adopted, would provide a vehicle for establishing

definitions and penalties for specific forms of violence against women, including marital rape, the killing of elderly women accused of witchcraft, the killing and mutilation of women and girls with albinism and the practice of "widow cleansing", that were not expressly addressed elsewhere. She noted that various training and capacity-building programmes had been organized for police and justice officers and would like to know whether any assessment had been made of the impact of such programmes on the investigation and prosecution of violent offences involving women victims.

44. **Ms. Al-Dosari** asked whether the media played a part in challenging patriarchal structures and stereotypical gender roles and in raising awareness of the remedies, shelters and rehabilitation facilities that were available. For example, had national television channels ever broadcast programmes on female genital mutilation and the situation of widows in Tanzania?

45. **Ms. Gbedemah**, expressing support for Ms. Jahan's call for a comprehensive law, said that a fragmented legal framework caused difficulties when it came to enforcement. A single, discrete law that combined definitions of different forms of gender-based violence, including types of psychological and economic violence, that were not covered in any of the separate instruments currently in effect and that set out a comprehensive range of remedies and penalties would considerably facilitate the work of law enforcement officers. She urged the State party to review its position and seek technical assistance to that end.

46. **Ms. Nwankwo** said that, according to alternative sources, domestic violence, including intimate partner violence, was considered socially acceptable in Tanzania, and she would therefore like to know what the Ministry of Gender was doing to engineer a change of attitude. More information about the proposed amendments to the Witchcraft Act, the timetable for the reform and any concrete plans for its enforcement would also be appreciated.

47. **Mr. Mero** (United Republic of Tanzania) said that the media sector in Tanzania was probably the biggest and best in Africa. It operated in an environment in which freedom of expression was unrestricted and was widely used for informing, educating, campaigning, raising awareness and exposing injustice. He would provide the Committee with more detailed responses on that subject in writing.

48. **Ms. Mayao** (United Republic of Tanzania) said that it was simply untrue that domestic violence was considered socially acceptable. The penalties for such acts were severe, despite the lack of a specific, comprehensive law. Extensive advocacy work was ongoing. For example, the Ministry of Gender had developed a parenting toolkit that covered all elements of family-based violence and had already been distributed in 72 districts nationwide.

Articles 7 to 9

49. **Ms. Hofmeister** said that she would like detailed statistics on women in the judiciary, including the percentages and actual number of judges and prosecutors that were women. Information on the Government's efforts to bring more women into the foreign office and diplomatic service would be appreciated, as would statistics that included specific percentages and actual figures on women in decision-making positions in the private sector and, in particular, on the boards of leading companies. She would also like to know more about the outcome of the review of the National Elections Act, the Political Parties Act and the Election Expenses Act. When would the amendments that had been agreed upon be enacted?

50. **Ms. Chalal,** referring to the proposed amendments to the Constitution that addressed concerns previously raised by the Committee about the discrimination against women inherent in the Citizenship Act, asked when the amendments to the Constitution

would be adopted and when the Citizenship Act would be amended to reflect those changes and align it with article 9 of the Convention. She was particularly interested to learn whether Tanzanian women could transmit their nationality to their children on the same basis as Tanzanian men could and, if that was not the case, what was being done to rectify the situation; whether Tanzanian citizens could confer their nationality on a foreign spouse; and whether children born in Tanzania to foreign nationals, such as the children of refugees, could be recognized as Tanzanian nationals. In connection with the latter issue, she would appreciate an update on the situation of the refugees from Burundi who had been living in Tanzania for over 20 years and were still waiting to be granted citizenship.

51. **Mr. Mero** (United Republic of Tanzania) said that in order for women to be properly represented in public and political affairs, they must first be properly educated. Tanzania had addressed that barrier by introducing free, universal primary and secondary schooling and expanding its university system, and all the statistics showed that women were consistently outperforming men in education. Although appointments to decision-making posts were based on merit, in cases where female and male candidates had equal skills and experience, women were given preference and, as a result, women occupied many high-level positions in the Government, in the judiciary and elsewhere. The Government also worked hard to ensure respect for the principles of equal pay and equal opportunity. Despite being a poor country, Tanzania had always welcomed refugees, endeavouring to provide for their educational, health-care and other needs. It had received around 130,000 refugees from Burundi and had granted citizenship to more than 200 of their number to date.

52. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that, although the principles of equal opportunities in education and employment were enshrined in national law, social and cultural barriers continued to impede women's progress. However, the authorities of both the United Republic of Tanzania as a whole and of Zanzibar were embarking on capacity-building programmes to develop a pool of talented women who were qualified for leadership positions.

53. **Ms. Nwankwo** asked how many Tanzanian ambassadors were women and whether the State party used special measures to accommodate and promote women who were qualified to serve as ambassadors or in other international positions.

54. **Mr. Mero** (United Republic of Tanzania) said that between 30 and 40 per cent of the country's ambassadors were women, including the ambassadors to France, Sweden and Zambia. When making such appointments, the Government attached great importance to achieving a balanced corps of diplomatic representatives, not just in terms of gender but also in terms of regions of origin, while at the same time ensuring that the merit-based system was not compromised.

55. **Mr. Kahendaguza** (United Republic of Tanzania) said that few, if any, countries could match the record of the United Republic of Tanzania in providing women leaders at the international level. Notable examples included: Anna Tibaijuka, who had served as Under-Secretary-General of the United Nations and as Executive Director of UN-Habitat; Liberata Mulamula, who had been the first Executive Secretary of the International Conference on the Great Lakes Region; and Gertrude Mongella, former President of the Pan-African Parliament and Secretary-General of the Fourth World Conference on Women.

Articles 10 to 14

56. **Ms. Bailey** said that, while she noted with appreciation that a comprehensive database on education could be accessed through the Government's official website, those statistics should be disaggregated by sex. Given the shortage of secondary schools in the State party, she would like to know whether the Ministry of Education and Vocational

Training had established a cut-off score on the primary-school leaving exam that was used to determine admission, since any such measure would amount to structural discrimination and would have a disproportionate effect on girls. She wished to know what options were available to girls, particularly those from disadvantaged groups, who had no access to secondary education and what was being done to ensure that the much-needed expansion in secondary-school places was coupled with an increase in learning facilities and resources. It would be helpful for the delegation to indicate whether schools were obliged to report incidents of sexual violence perpetrated by teachers and whether protocols and guidelines were in place to ensure that such offences did not go unpunished. Were there plans to discontinue the practice of mandatory pregnancy testing in schools? More information would be appreciated about the time frame for the adoption of the re-entry guidelines mentioned in paragraph 116 of the replies to the list of issues (CEDAW/C/TZA/Q/7-8/Add.1). She also wished to know whether the Government intended to revise the Education Act of 1978 and, if so, when, and to invite the delegation to elaborate on the portion of the secondary school curriculum devoted to sexual and reproductive health.

57. **Ms. Patten** said that she would like to know what progress had been achieved in developing economic policies that had a positive impact on the employment and incomes of women in the formal and informal sectors, what measures were envisaged to combat long-term unemployment among women and whether the Government planned to revisit its employment policies in order to incorporate a gender perspective. In reference to the private sector, she wished to know what concrete steps were being taken to introduce laws that would ban gender-based discrimination and discriminatory practices by employers, what was being done to prevent occupational segregation and whether temporary special measures were being considered to boost women's representation in senior and middle management positions. She had been surprised by the claim made in paragraph 127 of the replies to the list of issues (CEDAW/C/TZA/Q/7-8/Add.1) that there was no gender wage gap in either the mainland of the United Republic of Tanzania or in Zanzibar, and she wished to know what steps were being taken to apply the principle of equal pay for work of equal value and what authority was responsible for conducting job evaluations. More information about the mandate of the Wage Advisory Body would be appreciated. Was one of its duties to design gender-neutral job evaluation schemes? It would be useful for the delegation to describe any efforts that had been made to empower women in the field of agriculture and to explain what measures were being taken to facilitate the labour-market integration of young women. Comments on the extent to which previous measures had been evaluated would also be welcome.

58. **Ms. Gbedemah** said that she wished to know whether the Government had evaluated its health programmes, several of which had ended in 2015, and, if so, what successes and challenges had been identified. Which of those programmes was to be renewed? She would welcome details on the steps taken to reduce maternal mortality. She would like to invite the delegation to describe the efforts that had been made to ensure access to post-abortion care, to clarify and publicize national abortion laws and to develop clear guidelines for health-care providers so as to improve the availability and accessibility of services. She wished to know whether the Government was planning to do away with the existing penalties for women who had abortions and harmonize domestic abortion laws with relevant regional and international treaties, including the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, otherwise known as the Maputo Protocol. It would be helpful for the delegation to explain what was being done to raise awareness of, and to improve access to, contraceptives, including emergency contraception, for women and adolescent girls in both urban and rural areas.

59. Further information would be appreciated on the Prevention and Management of HIV and AIDS Act of 2013, which was being implemented in Zanzibar, and on the HIV and AIDS Prevention and Control Act of 2008, which criminalized the intentional

transmission of HIV even when it occurred during pregnancy, delivery or breastfeeding. She wished to know whether there were plans to amend the latter law, bearing in mind that women were more likely to know their HIV status and therefore more likely to face punishment. Lastly, she had noted that under 9 per cent of the government budget was allocated to the health sector and that the State party was thus failing to meet the target of 15 per cent that had been set in the Abuja Declaration.

60. **Mr. Mero** (United Republic of Tanzania) said that, in order to answer some of the questions posed by Committee members, it would be necessary to conduct a more detailed analysis of the issues that had been raised. The Government acknowledged that shortcomings persisted in the domains of education, employment and health, and it did not take those problems lightly. It was committed to building more educational institutions and, in 2015, had abolished secondary-school fees. Unfortunately, the Government's capacity to develop effective strategies was often compromised by a lack of resources.

61. **Ms. Bailey** said that she hoped to receive more specific information in writing. It was apparent from official government statistics that, from the secondary level onward, the education system was elitist and that measures were needed to avoid disenfranchising a huge segment of the population.

62. **Ms. Schulz** asked how the Government was coordinating efforts to fulfil its obligations under the Convention in the domains of education, employment and health with its efforts to achieve the Sustainable Development Goals.

63. **Mr. Mero** (United Republic of Tanzania) said that the Government would have to prioritize the targets associated with the Sustainable Development Goals, even though all of them were important. He would be able to reply more satisfactorily to the Committee members' questions after he had consulted with representatives of the relevant government ministries.

64. **Ms. Juma** (Zanzibar, United Republic of Tanzania) said that steps were being taken to ensure that the objectives and indicators established in the successor strategy to the Zanzibar Strategy for Growth and Reduction of Poverty were in line with the Sustainable Development Goals and with the provisions of the Convention.

65. **The Chair**, while urging the delegation to provide answers orally upon the resumption of the interactive dialogue at the Committee's next meeting, said that any written replies should be submitted no later than 5 p.m. on Monday, 29 February 2016.

The meeting rose at 1 p.m.

United Nations CEDAW/C/SR.1392

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
9 March 2016

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Committee on the Elimination of Discrimination against Women
Sixty-third session

Summary record of the 1392nd meeting
Held at the Palais des Nations, Geneva, on Friday, 26 February 2016, at 3 p.m.

Chair: Ms. Hayashi

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of the United Republic of Tanzania (continued)

This record is subject to correction.

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Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined seventh and eighth periodic reports of the United Republic of Tanzania (continued) (CEDAW/C/TZA/7-8; CEDAW/C/TZA/Q/7-8 and Add.1)

1. *At the invitation of the Chair, the delegation of the United Republic of Tanzania took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Mayao** (United Republic of Tanzania) said that the Government had signed the Pact on Security, Stability and Development in the Great Lakes Region, which included the Protocol on the Prevention and Suppression of Sexual Violence against Women. A multisectoral committee had been established to advise the authorities on the issue of sexual violence, and it had been decided — also taking account of concerns expressed by the Committee on the Elimination of Discrimination against Women — to introduce new stand-alone domestic violence legislation rather than to amend existing laws.

3. The Education Act was being reviewed following the introduction of a new education policy in 2014 which would soon also include guidelines for the re-entry of girls into education. The guidelines were currently awaiting the approval of the Minister and would be adopted very shortly. Once they had come into effect, it would be possible to compile accurate statistics on girls who had resumed their schooling. Before the introduction of the new education policy, reproductive health programmes had been largely absent from school curricula. Such programmes were now available to children in primary education as an extracurricular activity and in school youth clubs, and there were plans to extend them to schools in rural areas; the shortage of properly trained teachers was a problem in that respect, however. The United Republic of Tanzania had recently participated in a survey organized by the United Nations Population Fund on contraceptives and adolescents. It was hoped that the results of the survey would inform the Government's work in drafting legislation in that regard. Abortion remained illegal in the United Republic of Tanzania but in no case was health care denied to persons who suffered complications following an abortion. The country had signed the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, otherwise known as the Maputo Protocol, and was still deciding how to accommodate its provisions. Contraceptives were freely available through health-care centres, but there were strong social and cultural barriers to their use. The Government was working to raise awareness about family planning methods through the aforementioned reproductive health programmes.

4. One of the focuses of the country's development plans was the economic empowerment of women. The agricultural sector, in which many women worked, was not formalized, and agricultural activity was not even measured for use as an economic development indicator. That meant that there were no statistics on whatever wage gap might exist in that sector. The Government intended to allocate more funding for the formalization of the employment of women and, to that end, had recently established the Tanzania Agricultural Development Bank, which was providing support for women engaged in subsistence farming.

5. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that a life skills manual had been developed in Zanzibar which included some sex education content, although its main purpose was to teach young people about the biological development of their bodies. The roll-out of the manual had been accompanied by a train-the-trainers programme that had been developed in cooperation with civil society organizations. Life skills training was

also being offered as an extracurricular activity. Health facilities in Zanzibar were very good and family planning services were available. However, the rate of contraceptive use was only around 15 per cent, which was due, as on the mainland, to social and cultural barriers. The authorities were working to tackle the problem with media and civil society campaigns that also focused on such issues as early marriage and gender-based violence. Maternal mortality remained unacceptably high in Zanzibar, and the authorities had taken steps to address the issue by waiving the fees for childbirth services. Various aspects of prenatal and postnatal care had also been identified as areas in which improvements were called for.

6. Measures were being taken to promote education for girls, particularly in scientific and technological subjects, with a view to facilitating their entry into formal employment. A review of the education sector was also under way in order to identify critical challenges with regard to gender issues and access to education for vulnerable groups. Most women in Zanzibar currently worked in the informal sector, and one of the ways in which the authorities were seeking to address that problem was through the promotion of self-employment and entrepreneurship. Business incubator programmes targeting young women had been set up, training in fields such as solar electrification was being made available and a women entrepreneurs' network was being established.

7. **Mr. Khalfan** (Zanzibar, United Republic of Tanzania) said that, as part of the Legal Sector Reform Programme, relevant legislation was being reviewed and brought into line with the Convention. Also as part of that programme, the legal definition of a child was being harmonized with the Convention on the Rights of the Child. The 2005 Spinsters and Single Parent Children Protection Act provided that girls who had become pregnant could return to school after they had given birth. A number of steps had been taken to address the issue of violence: additional police officers had been assigned to communities where girls tended to become targets for sexual violence at school and, as part of a pilot project, the use of corporal punishment had been suspended in 10 schools. Radio broadcasts in some areas were educating communities about violence-related issues and how to report violent incidents, and a toll-free hotline was available for victims seeking information and advice.

8. **Mr. Mero** (United Republic of Tanzania) said that his delegation would revert to the Committee within 48 hours with written responses and statistics on some of the issues raised.

9. **Ms. Pomeranzi** said that she would like to learn more about the country's social protection policies. Their coverage seemed to be limited to persons in formal-sector employment, who represented only about 10 per cent of the labour force, while women, whose economic activity mainly took place in the informal sector, went largely unprotected. She wondered if any studies had been carried out in that regard and, if so, whether they took account of the gender dimension. Did the new Administration intend to introduce any policy changes in that connection? She would appreciate information on the impact of mechanisms such as the Tanzania Women's Bank and Savings and Credit Cooperatives in terms of helping women to participate fully in the production sector of the economy as opposed to the subsistence economy. Numerous reports identified women as a key source of income in the United Republic of Tanzania, and the Committee was aware of programmes which had, over many years, provided support to women entrepreneurs. She wondered whether the Government was planning to take steps to harmonize and coordinate those programmes and to broaden women's access to financial and technical services in order to help them scale up and formalize their businesses. Without such support, the development of the entire country would suffer.

10. **Ms. Gabr** said that article 14 of the Convention was particularly significant for the United Republic of Tanzania, where 81 per cent of women worked in agriculture. She wished to commend the State party for initiatives such as the National Strategy for Growth

and Reduction of Poverty and the National Five-Year Development Plan, but she wished to know to what extent women in rural areas had effectively benefited from those initiatives and what challenges and difficulties had been encountered. The Tanzania Women's Bank was also an admirable initiative, but she wondered how easily women could access credit and what kind of projects received financing.

11. She wished to know if there was a special budget allocation for the delivery of basic social services such as health care and education in rural areas. The issue of land ownership remained fundamental and, although the Village Land Act was a progressive piece of legislation, its implementation was being hindered by customary laws. She would appreciate it if the delegation could explain how the authorities were addressing that problem. She would also welcome clarification about how rural women were participating in development plans and how the social protection policy introduced in 2014 was being implemented. She would like to have further information about the land rights of Masai women and wondered whether the rights of widowed women to inherit property were still governed by customary rules.

12. **Mr. Mero** (United Republic of Tanzania) said that the Government's expansion of road infrastructure had helped farmers access markets across the country; improved telecommunications, and notably the introduction of a fibre optic network, had also helped to overcome geographical barriers to business activity. As a result, people were less poor and women enjoyed more freedom. Currently, the Government was seeking to establish economic zones throughout the country to further alleviate poverty. Those measures, together with improved water access and electrification, would pave the way for the United Republic of Tanzania to become a middle-income country by 2020.

13. **Ms. Juma** (Zanzibar, United Republic of Tanzania) said that an action plan was being drafted to implement the Zanzibar social protection policy that had been adopted in 2014. The plan would set out the specific types of support available to vulnerable groups through social programmes, such as cash transfer schemes for families who made sure that their children attended school regularly and that they received certain health services. It was also as a result of that policy that the Zanzibar Social Security Fund afforded social protection coverage to people working in the informal sector. Additional social protection measures which already existed or were planned for other vulnerable groups included orphanages, health care for persons aged 70 or above and cash assistance for parents with more than one child.

14. **Ms. Mayao** (United Republic of Tanzania) said that a draft social protection policy for the mainland was still pending; however, a bill on pensions had been submitted to the Cabinet for final approval. The district councils each contributed 5 per cent of their earnings to the Women's Development Fund, with the Government providing the rest of the necessary resources. Rural women were the main beneficiaries of the Fund, which provided them with the capital they needed to launch business ventures. In January 2016, the Government had conducted an assessment of the Fund, and a forthcoming report would set out possible courses of action for improving the Fund's financial position. The National Empowerment Council helped to coordinate action on women's issues.

15. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that a number of funds had been established in Zanzibar to enhance women's access to credit, and women were the major beneficiaries of an economic empowerment fund established in 2013. A study was being carried out to assess the effectiveness of that fund. Its findings would inform new strategies that were being developed to make further progress in that direction. The Government had established the Ministry of Empowerment, Social Welfare, Youth, Women and Children to improve the coordination of economic and empowerment programmes, especially for the most vulnerable groups, including women, the poor and the elderly. Women with disabilities constituted a critical issue that was high on the national

agenda. The Government was developing a policy on disability that would quite probably serve as a basis for a review of the existing legislation on the protection of the human rights of persons with disabilities.

16. **Mr. Kahendaguza** (United Republic of Tanzania) said that the current Administration, which had been in office for just three months, had made a campaign promise to provide the equivalent of US$ 25,000 to each village for use in promoting the business activities of women entrepreneurs. It also planned to do away with what had come to be known as "nuisance tax", which placed a disproportionate burden on women, as they constituted the majority of workers in the informal sector.

17. **Mr. Mero** (United Republic of Tanzania) said that, in order to understand the situation of Masai women, it was important to recall the history of the United Republic of Tanzania. When the country had achieved independence in 1961, the first president had sought to eliminate tribalism and ensure equal rights for all citizens. Since then, it had been a struggle to strike a balance between cultural tradition and modern life. Because of climate change, the land of the Masai people was increasingly less arable. The Government had donated cattle to the Masai during the last drought, but pastoralism was no longer a viable livelihood. The Masai needed to lead a different sort of life so that they would not be subject to the vagaries of climate change, but changing their way of life would make it difficult for them to maintain their customs.

18. **Ms. Pomeranzi** asked whether the credit schemes for women enabled them to scale up their businesses, as that would make an important contribution to the State party's development.

19. **Ms. Gabr** said that she hoped that the draft social protection policy would soon be implemented on the mainland. She would appreciate clarification on the application of the Land Act in terms of land ownership and inheritance. On a quite different matter, although the term could be confusing, further information should also be provided about the custom of "widow inheritance".

20. **Ms. Schulz**, referring to the issue of land-grabbing, asked to what extent rural women's voices were heard during discussions that led to the Government's granting of long-term land leases to multinational companies. She would like to know what type of compensation and resettlement options were provided to the communities concerned. Were they offered assistance to build new houses or to cultivate new, perhaps less arable, land? More information would also be welcome on the legislation governing such land leases and the size of the tracts of land involved. It was important to remember that land was a matter of life or death for small-scale farmers — many of them women — who produced over 80 per cent of the country's food supply.

21. **Mr. Mero** (United Republic of Tanzania) said that all land in the United Republic of Tanzania belonged to the State, which had the right to revoke or change the use of a given piece of land. Leases were granted for periods of 33, 66 or 100 years, depending on the planned use. Leasing land to multinationals or foreign Governments was no longer a popular practice, in part because of climate change and the decreasing amount of arable land. Some women did lease land in the United Republic of Tanzania. A combination of national and customary laws governed the inheritance of land, but customary laws took precedence because the jurisprudence relied heavily on them. However, customary law did not discriminate against women. In fact, according to customary law, if a man lived with a woman for at least two years, even if they were not married, she was entitled to a 50 per cent share of his property; thus, women were protected against losing everything if their partners died. Women had gone to court when their rights had been breached in such situations and had won their cases, sometimes with pro bono help from lawyers at the University of Dar es Salaam.

22. The laws on inheritance had been changed because it was no longer acceptable for women to be treated as a commodity. Previously, if a husband died, his widow lost all the couple's property and, according to tradition, a male relation would take over. In some cultures, it was traditional for a man to marry his deceased brother's widow as a way of providing social protection to her and her children, but that practice had changed with the rise of HIV/AIDS and the death of so many men as a result of the disease; no government intervention had been needed to bring about the abandonment of that custom.

23. The microcredit system and farm loan procedures had been improved. Lending activity had risen significantly. The Government focused particularly on supporting the introduction of electricity to rural areas, since it was needed in rural schools and was required by farmers in order to process their produce for market more efficiently.

24. **Ms. Schulz** said that the issue of widow inheritance was a difficult one: clearly it was bad for a woman to be forced to marry her late husband's brother but, if she did not, she might be left destitute.

25. **Ms. Mayao** (United Republic of Tanzania) said that the best way to overturn a tradition was for people to see that it was in their best interests to do so. The practice of widow inheritance had been a means of protecting family assets and providing for the family but, as women became more educated, the situation was changing, at least in some areas. That kind of change could not be imposed by the Government.

26. **Ms. Gabr** said that the question of overturning tradition had been resolved in many parts of Africa by means of legislation. She therefore wondered whether the State party would consider changing the law.

27. **Ms. Nwankwo** said that, if it were left to communities to determine which customary laws were discriminatory, then discrimination would never be eliminated. Women in many rural communities were powerless, and the men who benefited from existing customs would not support change. Discrimination was a human rights issue and should be addressed as such by the authorities. The Convention, and other treaties which the United Republic of Tanzania had ratified, required the State party to protect human rights, including women's rights. To achieve substantive equality, which was a key element of the Convention, an enabling environment for women must be created. For example, the Tanzania Women's Bank, mentioned earlier in the day, might theoretically give women an equal opportunity to obtain credit. In reality, however, if women — particularly rural women — could not manage or inherit property, they were unlikely to be able to provide collateral and therefore to obtain loans. Without means of securing practical equality, there could be no substantive equality. The State party therefore had an obligation to take action to prevent the violation of the rights of private persons and to put a stop to customary and all other practices that were detrimental to women's rights.

28. Among the provisions that prejudiced women's rights was the rule that, while the first son received the largest share of the inheritance and the other sons received a smaller share, daughters received the least. Under another law, a widow had no share of the inheritance if the deceased person had living relatives, even though a woman's right to own and inherit property was vital to breaking the cycle of poverty. Another provision allowed a husband travelling on a long journey to appoint a guardian to protect his wife, children and property. The wife was not permitted to move out of the household without the guardian's consent and would have to answer to him if she were suspected of committing adultery. She would like to know what the State party planned to do to ensure that such discriminatory customary laws were repealed or amended in line with the Convention.

29. On the issue of the communication concerning the United Republic of Tanzania submitted to the Committee under the Optional Protocol to the Convention (CEDAW/C/60/D/48/2013), despite the State party's assertion that the Committee had

lacked jurisdiction because domestic remedies had not been exhausted, the Committee had concluded that the communication was admissible and, after considering all the submissions received on the merits, had found that, by condoning legal restraints on inheritance and property rights that discriminated against women, the State party had violated, inter alia, article 13 (b), article 15 (1) and (2) and article 16 (1) (h) of the Convention. Since it had ratified the Optional Protocol, the State party was under an obligation to cooperate with the Committee. She therefore wished to know what specific action the State party had taken to comply with the Committee's decision and its recommendations.

30. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that the delegation would inform the Committee in writing as to the action that had been taken in that connection.

31. **Ms. Nwankwo** said that, in view of her detailed exposition of the situation, she was disappointed not to have received a fuller response. She hoped that the customary law would be changed.

32. **Ms. Mayao** (United Republic of Tanzania) said that her country had cooperated with the Committee. However, it took time to change traditions; communities must be consulted and persuaded.

33. **Ms. Gbedemah** said that, in Africa, in particular, the law was rightly used as a tool of social engineering. Communities did not change without outside prompting. It was thanks to legislation that girls now received an education, whereas previously it had been ordained that they should stay at home and be good wives. Without legislation, they would not have known that education was a force for good. It was the duty of Governments to raise awareness of the benefits of changing certain traditions, with one quite clear example being the former practice of killing twins at birth on the grounds that they brought bad luck. It was true that communities sometimes recognized on their own that a practice was harmful but, more often, they needed encouragement from the Government. She wished to draw the delegation's attention to the Committee's general recommendation No. 28 in that connection.

34. **Ms. Abdallah** (Zanzibar, United Republic of Tanzania) said that the Government was committed to correcting laws and practices that discriminated against women. She was hopeful that constitutional reform would stimulate action on gender equality and equity and the empowerment of women.

The meeting rose at 4.45 p.m.

United Nations CEDAW/C/SR.1393

Convention on the Elimination of All Forms of Discrimination against Women

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4 March 2016

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Committee on the Elimination of Discrimination against Women
Sixty-third session

Summary record of the 1393rd meeting
Held at the Palais des Nations, Geneva, on Monday, 29 February 2016, at 10 a.m.

Chair: Ms. Hayashi

Contents

General discussion on gender-related dimensions of disaster risk reduction and climate change

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The meeting was called to order at 10 a.m.

General discussion on gender-related dimensions of disaster risk reduction and climate change

Welcoming remarks

1. **The Chair** said that, as the first step in the process of preparing a general recommendation on gender-related dimensions of disaster risk reduction and climate change, the general discussion was an opportunity for the Committee to receive oral and written inputs that would support the drafting process. The Committee planned to begin drafting the general recommendation in the second half of 2016.

Opening remarks

2. **Mr. Salama** (Director of Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)), said that the general discussion had been organized at an opportune moment as three framework agreements of crucial importance to future development, in general, and to climate change and disaster risk reduction, in particular, had been concluded in the course of 2015: the Sendai Framework for Disaster Risk Reduction 2015-2030; the 2030 Agenda for Sustainable Development; and the Paris Agreement. Disasters and climate change had devastating effects on human development and over the past two decades had had huge costs for the global economy and the livelihoods of countless people and communities, besides costing many their lives. Women and girls were disproportionately affected as they were particularly vulnerable to the negative impact that droughts, floods and other weather and climate-related events had on food security, agricultural productivity and access to water, sanitation and health care. However, it was now recognized that such effects could be mitigated by women's empowerment and greater gender equality and that incorporating gender perspectives into climate change and disaster risk reduction strategies would be highly beneficial for society, the economy and climate resilience.

3. **Mr. Glasser** (Special Representative of the Secretary-General, United Nations Office for Disaster Risk Reduction (UNISDR)) said that the Sendai Framework marked an important paradigm shift away from managing disasters towards managing risk and addressing the underlying causes. Building on the foundations laid in the Hyogo Framework for Action 2005-2015, which had been designed to foster disaster resilience among nations and communities, the Sendai Framework recognized the need to accord greater importance to human rights, gender equality and climate change adaptation. For that reason, it called on States to strengthen their legislation and accountability mechanisms and on treaty bodies to support the implementation of the Framework in coordination with other instruments. The application of human rights standards was a means to strengthen disaster risk management and, through the impact of those standards on participation, equality, accountability and other indicators of social well-being, a means to minimize risks. At the same time, preventing and mitigating disasters were in and of themselves a means to protect and promote human rights. The current initiative therefore provided a prominent example of how cross-cutting agendas like human rights, gender equality and disaster risk reduction could be mutually supportive and could be taken forward together.

4. **Mr. Schillinger** (Friedrich Ebert Foundation, Geneva Office) said that climate change affected people differently according to their economic, environmental, cultural and social situation and was essentially an issue of justice. To understand how the notion of justice and injustice applied to climate change, it was necessary to measure the impact of a dramatically changing climate on issues with particular resonance for women, such as the availability of water, the transmission of disease and agricultural productivity, against the

limited extent to which women were able to participate in decisions affecting them and gain access to essential inputs and resources. UNISDR estimated that close to 90 per cent of disasters were caused by weather and climate extremes and, as the impact of climate change created more emergencies and eroded people's ability to cope, the livelihoods and health of men and women would be affected in different ways. For example, because women tended to lead more insular lives and spend more time in the home, they were more likely to lack the crucial information needed to avoid or escape extreme events.

5. That said, women should not be viewed solely as victims. They had valuable skills and knowledge that could contribute to successful adaptation and play a key role in ensuring food and nutritional security. Gender equality and inclusive dialogue were key to the development and implementation of lasting solutions, while understanding and responding to the gender dynamics present in specific contexts were central to building resilience. So far, however, gender-sensitive approaches had been inconsistent and there was a lack of systematic information on the relationship between gender inequality and the impact of disasters. The Committee's general recommendation would help to fill that gap and, besides being used to inform concluding observations as part of the reporting procedure, would serve as an advocacy tool for developing gender-sensitive approaches to disaster risk reduction and climate change and building resilience in communities in general and among women in particular.

Introduction of the general recommendation on gender-related dimensions of disaster risk reduction and climate change

6. **Ms. Haidar**, speaking as Chair of the Working Group on gender-related dimensions of disaster risk reduction and climate change, said that the general recommendation would provide States parties with guidance on the measures that they should adopt in order to fulfil their obligation under the Convention to respect, protect and fulfil women's rights in the context of disaster and climate change. Although the issue of disaster risk reduction had only recently come to the fore, for the past two decades the Committee had observed with increasing frequency that women were disproportionately affected by the impact of disasters. In a number of its concluding observations, it had called on States parties to take steps to address the gender-related dimensions of climate change by adopting targeted country-specific policies, legislation, budgets and other measures and, in 2009, at its forty-fourth session, it had issued a statement calling on all stakeholders to ensure that climate change and disaster risk reduction measures were gender-responsive and that women's right to participate at all levels of decision-making was guaranteed in climate change policies and programmes. Thus, the Committee's decision to draft a general recommendation was the fruit of a long history of observation, discussion and recommendation.

7. As had been noted earlier, situations of crisis exacerbated pre-existing gender inequalities. Such situations also compounded intersecting forms of discrimination that affected certain women, such as women in extreme poverty and women with disabilities, disproportionately. Gender-based violence, lack of access to resources, education, employment and health and limited participation in public and political life were also contributory factors that perpetuated the received idea that women were victims rather than rights holders, and, while women's participation and leadership in development were recognized to be of vital importance in global development frameworks and agreements, it still did not appear that changes had been implemented to make that happen.

8. Empowerment was probably the best way to address women's particular vulnerability to risks and their continued exclusion from strategic decision-making and practical action. To date, however, due to a lack of synergy and coherence between the different frameworks, agreements and measures, progress had been limited. The general recommendation should help to eliminate the gaps in the existing fragmented provisions

and ensure a seamless fusion between the various top-down and bottom-up approaches. Among the key aims of the recommendation was that it should be actionable; that it should provide a compendium of existing best practices; and that it should expand on those practices whenever gaps were identified. In short, it should serve as a manual for gender mainstreaming in disaster risk reduction — a tool that was currently totally lacking.

Keynote speakers

Gender and disaster risk reduction

9. **Ms. Wahlström** (Former Special Representative of the Secretary-General, UNISDR), said that in recent years a major focus of policy development in the area of disaster risk reduction and climate change adaptation had been the need to increase coherence and reduce fragmentation and thus prevent situations in which implementing countries and organizations felt constrained by conflicting obligations and priorities. The Sendai Framework had gone a long way towards meeting that need, showing that global priorities such as equality, participation and poverty reduction were also local priorities, and that all such priorities were compatible. Development was the overarching global objective, but disaster risk mitigation and climate change adaptation helped to make that objective feasible, besides being goals in themselves. The Sendai Framework and the Hyogo Framework had both clearly established that climate change and disaster risk reduction were development challenges and had to be tackled from that perspective. One of the strengths of the Convention in that respect, and one that gave it particular coherence, was that it accorded equal weight to development and human rights obligations.

10. The adoption of the Sendai Framework had marked the beginning rather than the end of a process. It had clarified the risks to be addressed and the goals to be pursued and established that risks should also be viewed as opportunities. It had also highlighted the importance of demographics in risk management. For example, developed countries with an ageing population and developing countries with a young population required different strategies, while rapid urbanization, though positive in many ways, gave rise to new risks. Above all, the Framework had made clear that, in order to achieve the goals pursued, it was vital for stakeholders to work with the development and climate agendas and consciously seek closer integration and greater coherence between sectors. The need for greater coherence and integration was reflected in the more recently adopted Paris Agreement; the two instruments used similar language and had an overlapping, consistent agenda.

11. The Sendai Framework was a logical and succinct instrument that focused on three key goals: prevention, reduction and resilience. It was essential to prevent further investment in infrastructure that placed communities at risk; to reduce existing risks through more efficient early warning and response systems; and to promote resilience through education, economic empowerment and access to justice so that individuals and communities were in a better position to protect themselves and their assets.

12. The Sendai Framework also established four priorities for action. The first priority was understanding disaster risk. The greatest risks occurred where gaps existed in terms of intersectoral responsibilities, for instance between the environmental and agricultural sectors. The second priority was strengthening of disaster risk governance. It consisted primarily of institutional issues, coordination, policy coherence and political representation at all levels of society. The Hyogo Framework for Action had led to the enactment of disaster-related legislation throughout the world and provision had been made in almost every country for women's involvement in its implementation. However, the institutional dimensions of implementation were still weak. The third priority for action was investment in disaster risk reduction for resilience, namely investment in health, education and the economy. The fourth priority was enhancing preparedness for an effective response to

disasters, and planning for recovery, rehabilitation and reconstruction. The Sendai Framework document identified seven global targets and negotiations were currently being conducted on the indicators that should be set.

13. A useful guide to gender mainstreaming in disaster risk reduction had in fact been provided 10 years previously, but, unfortunately, it had not been used. It was important to mobilize women on all issues relating to the Sustainable Development Goals, disaster risk reduction and climate change. Following the Tohoku earthquake and tsunami (also known as the great east Japan earthquake), the Government had undertaken a study of women's role in disaster risk management. The study had found that about 25 per cent of women had participated at the community level but that only about 2 per cent had been involved at the decision-making level. When UNISDR convened meetings, only about one third of the participants were women.

14. When disasters occurred and people were relocated to evacuation centres or displacement camps, women's privacy and safety were still frequently a problem, although the relevant institutions should clearly have made provision for such situations in advance. A change could be brought about if community groups were led by women or if resources were earmarked for the purpose. Of course, there was a great difference between the situation of women in prosperous urban areas and in underdeveloped rural areas throughout the world.

15. The factors measured in a recent report on women's resilience in disasters were economic infrastructure, institutional issues and social factors. Sweden had recently issued statistics indicating that women heads of municipalities earned more money than their male peers. The reason was that they were now better educated and had become more effective negotiators.

Gender responsive strategies on climate change

16. **Ms. Manaenkova** (Assistant Secretary-General, World Meteorological Organization (WMO)) said that the adoption in December 2015 of the Paris Agreement had been a major achievement. The twentieth anniversary of the adoption of the Beijing Declaration and Platform for Action (Beijing+20), which focused on gender equality and the empowerment of women, had also been held in 2015.

17. WMO had convened the Conference on the Gender Dimensions of Weather and Climate Services in November 2014, which had focused on agriculture, water resources management, public health and disaster risk reduction. The Conference had concluded that the effects of weather and climate were not gender-neutral, and that women and men needed gender-sensitive information and services because of their different social roles and vulnerabilities due to existing inequalities. For example, weather and climate warnings were frequently provided via mobile phones, but very few women in developing countries possessed smartphones. In addition, women and children tended to suffer disproportionately from extreme weather events and disasters, especially if they were less mobile. More women than men had died in the 2004 Indian Ocean tsunami because they were unable to swim and long clothing had hampered their movement. Fourteen times as many women had died during a 1991 cyclone in Bangladesh, partially on account of insufficient access to early warning communication systems. On the other hand, men were more likely to be struck by lightning. It had been discovered in the United States, for example, that men accounted for 81 per cent of mortalities due to lightning strikes. Men also lost their lives more frequently in emergency relief efforts and during post-disaster reconstruction. Climate and disaster risk strategies must therefore consider assessing gender-specific risks and investing in gender-sensitive meteorological and hydrological services.

18. Disaster risk reduction efforts should recognize that women and girls played a central role in the survival and resilience of their families and communities. Women were also skilled in natural resource management and played a key role in climate change adaptation and mitigation. They should therefore participate on an equal footing in decision-making.

19. The World Health Organization (WHO) estimated that 7 million premature deaths were caused by exposure to air pollution each year. Of that total, 4.3 million were caused by indoor air pollution, which was often generated by stoves, to which women and children were generally more exposed than men. Higher female mortality rates were recorded during heatwaves in certain contexts. However, men were also at risk of heatstroke because they were more likely to be active in hot weather.

20. A gender-responsive climate strategy required closer collaboration between the meteorological, medical and public-health disciplines, more cross-disciplinary research and increased delivery of impact-based forecasts.

21. In many parts of the world, women and girls were usually tasked with collecting and transporting water. As a result of climate change, a great deal more time was spent on such tasks, especially in drought-prone areas. Women and girls were thus not only exposed to the risk of violence but also deprived of time that they could dedicate to education or other productive activities.

22. All policies and programmes relating to climate change and disaster risk reduction should therefore be scanned through a gender lens. Account must be taken of the different needs and roles of women and men in all sectors of the economy and in social systems. Policymakers should also ensure that legislative frameworks were gender-sensitive and that decision-making mechanisms guiding implementation were inclusive. National climate and disaster risk authorities should improve their understanding of gender-specific impacts and should produce and communicate gender-sensitive information in a format and language that citizens could understand. The essential role that women played in sustainable development should also be recognized.

Lessons learned and best practices

23. **Ms. Ikeda** (University of Shizuoka, Japan) said that the Sendai Framework rightly pointed out that women, children and people in vulnerable situations were disproportionately affected by disaster. It also emphasized that disaster risk reduction required empowerment and inclusive, accessible and non-discriminatory participation, paying special attention to people disproportionately affected by disasters. A gender, age, disability and cultural perspective should be integrated into all policies and practices, and women and youth leadership should be promoted.

24. The 2011 earthquake and tsunami in Japan had revealed that disasters affected people differently, depending on factors such as gender, sexuality, age, type and degree of disability, health condition, nationality, language, employment status, family structure, burden of care-giving responsibility and community network. No distinct properties of vulnerability could be attributed to women or other groups. Vulnerability was constructed socially, economically and culturally through the distribution of power, wealth and resources. Macro factors such as demographic changes and urbanization and policies and programmes in socioeconomic sectors could mitigate or aggravate people's vulnerability in certain conditions. It was extremely important to understand the links between gender inequality under normal circumstances and where there was a disaster risk.

25. In some earthquake cases in Japan, especially in urban areas, higher mortality had been observed among older women living alone due to their low income level and their tendency to rent old apartment houses that were less earthquake-resistant.

26. Space in evacuation centres was not arranged to maintain privacy, and relief supplies were not sufficient to enable women, girls, older people, persons with disabilities and other people in vulnerable situations to live with dignity. Lack of emergency response to specific needs aggravated the damage inflicted not only on women but also on family members in their care. Few women occupied decision-making positions among emergency response workers in community-based disaster management organizations and in the Government's emergency management sections. It was therefore difficult to reflect women's needs. Underrepresentation of women in decision-making was a common problem in the area of administration in Japan and in politics, private business and community action.

27. Other serious issues following disasters were disproportionately higher rates and longer periods of unemployment among women, and the high rate of poverty among single mother households. Sexual violence and exploitation, child abuse and domestic violence had also recently been placed on the agenda of disaster risk reduction. New policy measures such as free hotlines had been introduced by the Government after the 2011 earthquake and tsunami, but the issue of security during and after the disaster had been neglected during the preparedness stage and by the response and recovery planners and workers.

28. Comprehensive and easily accessible gender-disaggregated data were indispensable for addressing links between gender inequality and disaster risks. Disaster risk reduction and gender equity analysis should be introduced into all policy sectors. Basic information should also be collected on the disaster experiences of people in vulnerable situations. Very little research had been done to date, for example, on the experience of trafficked women and sexual minorities.

29. The successful development of women's leadership in disaster risk reduction required governmental initiatives and effective training programmes. Many trained women were not easily accepted by the conventional community-based disaster management organizations and volunteer disaster response organizations. Women's groups that enhanced disaster risk management capacities rarely collaborated with conventional disaster risk management institutions. The system, institution and concept of disaster management should be changed in order to promote acceptance of gender and diversity perspectives.

30. Institutional arrangement of disaster risk management should also be reviewed. Community disaster management organizations in Japan were conventionally established under residents' or neighbourhood associations. Retired but active men in their sixties and seventies were the principal members. Women of the same generation also participated, but they were seldom engaged in decision-making. Younger generations with more egalitarian gender attitudes were generally not very interested in disaster management activities.

31. It was necessary to build the resilience of institutions through collaboration with civil society organizations working in areas such as welfare, education, human rights and poverty eradication. The Government should foster partnerships between the disaster risk management sector and the gender equity sector across the administration and civil society. Women's leadership potential for disaster risk reduction could also be strengthened by building the capacity of professional women in the economic, legal, welfare, medical, educational, technological and political sectors.

32. Disaster risk management should cover all disaster phases, from preparedness to response, recovery and mitigation. More attention should be paid to reducing underlying risk factors in society by taking disaster risk reduction into account in policies aimed at poverty reduction, welfare, employment, establishment of social safety nets and community development.

Regional perspectives on disaster risk reduction and climate change

33. **Mr. Mondal** (CARE Bangladesh) said that Bangladesh was particularly vulnerable to the impact of climate change and that at-risk communities tried to use their scarce resources to minimize losses. In 1991, the country had been struck by a cyclone that had claimed the lives of 140,000 people, of whom around 90 per cent had been women or girls. Globally, women were estimated to account for 80 per cent of refugees and displaced persons, and suffered the double injustice of being more exposed to natural disasters and less equipped to respond to them.

34. Bangladeshi women tended to be more vulnerable because: they were excluded from planning and decision-making; they were reliant on natural resources for their livelihoods; they were not recognized as farmers and were therefore deprived of agricultural subsidies; early warning systems were targeted at men; and the migration of men left them overburdened and in a state of insecurity. Women were also disproportionately affected by erratic rainfall and were more susceptible to domestic and sexual violence, especially in the wake of natural disasters.

35. To reduce the vulnerability of women, the Government of Bangladesh had undertaken to adopt a gender-based approach to disaster resilience in all its plans, policies and programmes, including the National Plan for Disaster Management for the period 2010-2015. There was, however, a significant gap between policy and practice.

36. Women could make an invaluable contribution to disaster preparedness activities, not least because their traditional role as providers of food and water made them keenly aware of their environment. CARE Bangladesh had sought to harness that potential by training women volunteers to provide guidance on disaster preparedness, but the project had been limited in scope and needed to be expanded. It had also endeavoured to ensure that women were recognized as farmers and that they participated actively in family decision-making. The Government, meanwhile, had begun sending mobile flood alerts to persons living on the banks of the Jamuna River so as to enable them to protect their movable assets.

37. To encourage women's involvement in climate change mitigation and adaptation, Governments should: acknowledge women's vulnerable status and their potential; guarantee their access to appropriate resources; strengthen the dialogue with local communities; intensify efforts to promote gender equality; ensure women's access to information on disaster reduction; and respond to women's needs and concerns. Moreover, it was important to consult men and women separately in the development of plans and to persuade men to engage in household chores.

38. **Ms. Kambon** (Public policy expert) said that, in the small island developing States of the Caribbean, climate change was manifested by floods, tropical storms, hurricanes and droughts. The biggest threat, however, was posed by rising sea levels. According to the Intergovernmental Panel on Climate Change, levels could rise by up to 60 cm by 2100, which would lead to flooding in low-lying areas and increase the risk of saltwater intrusion. The consequences of natural disasters and climate change for women and girls could be broken down into at least six key areas.

39. First, the labour-market sectors worst affected by disasters tended to be those in which women were most represented, such as agriculture and tourism. Women were usually the first to lose their livelihoods and were less able to regain them as the skills valued in a period of recovery were those acquired in trades that women were seldom encouraged to pursue. Few women possessed land titles and many worked at home, which reduced their chances of obtaining funding after a disaster. They were also overlooked in the organization of training in climate-smart agricultural techniques and, more significantly,

were not able to move freely to seek income-generating opportunities owing to their duties as carers.

40. Second, in the decision-making processes following disasters, women were denied an equal voice. They lacked the time and mobility to participate in post-disaster meetings, which were rarely held in rural areas and were often organized by interministerial committees. Such committees consolidated power at the top and reduced the influence of local authority bodies, in which women tended to be more involved. Moreover, women's NGOs usually played minor roles in recovery and reconstruction, and were seen only as humanitarian relief actors.

41. Third, there was growing concern that disasters exacerbated existing income and social inequality, which had been inherited by Caribbean States as a result of colonialism and slavery. Although some social protection measures had been taken to redress imbalances, changes in the global economic environment, the shrinking value of exportable commodities and the frequency of disasters had left many small States deeply divided between those with access to resources and those without. In the wake of disasters, emphasis was rightly placed on the reconstruction of infrastructure, but it was too often done to the detriment of recovery measures that addressed long-term social development needs.

42. Fourth, internal or external migration in response to disasters could have negative consequences for women and girls. If male breadwinners were forced to migrate, their spouses and children could be left dependent on remittances, while the external migration of women and girls placed them at greater risk of sexual exploitation and trafficking. Internal migration also brought challenges, as it was usually to the poorest urban settings and stripped women of the social capital on which they relied for support.

43. Fifth, inadequate data on the social impact of disasters acted as a constraint on informed policy-making. Statistics collected after disasters tended not to be disaggregated by sex, which resulted in gender-blind policies for medium- and long-term recovery. Moreover, a lack of data on informal economic activities left many women with little or no access to the resources distributed during the recovery phase.

44. Sixth, women's perspectives were not heard in discussions on funding for disaster risk reduction and climate change adaptation, debt restructuring and forgiveness, and alternative funding mechanisms, despite the fact that poor women, in particular, were disproportionately affected by the indebtedness of small Caribbean States. More had to be done to engage women in discussions and to highlight and respond to their concerns.

45. In the Caribbean, women had been key actors at the community level and possessed a demonstrated capacity for the transfer of informal knowledge. They should therefore participate more actively in the processes of disaster risk reduction and of climate change adaptation, not just as the beneficiaries of programmes but also as the persons responsible for shaping and delivering them.

Oral statements by States parties

46. **Mr. Nagaoka** (Japan) said that, on 11 March 2016, Japan would commemorate the fifth anniversary of the great east Japan earthquake, which had caused unprecedented damage and had left over 18,000 people dead or missing. Women had played an important role in both the emergency response and recovery phases. In some cases, however, women evacuees had encountered challenges in the shelters because their concerns and perspectives had not been duly taken into account.

47. In the Sendai Framework, emphasis was placed on promoting women's participation in managing disaster risk and on the need for measures to empower women to deal with

post-disaster situations. In a document based on discussions held at the 2015 World Assembly for Women, Japan had proposed that, in order to promote women's leadership in disaster risk reduction, the whole disaster cycle should be considered from the viewpoint of both men and women, who should be given opportunities to share ideas and to participate in decision-making.

48. **Mr. Méndez** (Argentina) said that, in the Committee's general recommendation on gender-related dimensions of disaster risk reduction and climate change, it should be mentioned that disasters increased women's vulnerability, in particular to domestic and sexual violence; that, in post-disaster situations, gender issues were ignored or dismissed as irrelevant; that disaster situations provided a unique opportunity to change traditional gender roles; that women's specific concerns and needs should be taken into account throughout the disaster cycle; that States should undertake to reduce gender inequality; that, during the reconstruction process, some projects should be geared specifically towards vulnerable groups; and that a gender perspective should be incorporated in disaster impact assessments, in the development of risk maps and in emergency response plans.

49. States should also be encouraged to adopt a gender-sensitive approach to climate change programmes, to empower women with regard to decision-making and to the implementation of climate change policies, and to foster women's participation in climate change negotiations.

50. **Ms. Lecaros Terry** (Peru) said that women presented both a challenge — because they were particularly vulnerable to natural disasters and in need of special protection measures — and an opportunity, because of their knowledge of techniques and traditions and their role as defenders of children and land. The Government of Peru was convinced of the importance of adopting a human rights-based approach to sustainable public policies and, with that in mind, was drafting a gender and climate change action plan to contribute to the advancement of gender equality.

51. One of the successes of the 2014 United Nations Climate Change Conference had been the adoption of the Lima Work Programme on Gender, which aimed to encourage the implementation of gender-responsive climate policies. Climate change adaptation and disaster risk reduction strategies should take into account gender equality and the needs of vulnerable groups and efforts should be made to promote the participation of local communities and of indigenous peoples.

52. **Mr. Dalcero** (Brazil) said that the search for new patterns of sustainable development should reconcile economic growth with social inclusion, especially of women, and should highlight their role in defending food security. It was vital to guarantee the participation of women in development discussions and take into account their diverse needs, to empower women and girls in order to build resilient communities, to take a gender-sensitive approach to national policies on disaster risk reduction and to reinforce prevention measures by rolling out capacity-building initiatives for women. Recognizing that disasters had a disproportionate impact on women, despite their central role in protecting children, older persons and other vulnerable groups in emergencies, her Government had actively advocated for the inclusion of gender vulnerabilities and gender identity in the Sendai Framework. Gender-sensitive indicators should be developed in order to monitor the implementation of the Framework, which implied the collection of gender-disaggregated data.

53. **Mr. Moscoso** (Chile) said that insufficient attention was paid to the vulnerability of women and girls to sexual violence when natural disasters occurred. In 2015, in response to unprecedented rainfall in usually arid parts of Chile, the National Service for Women had taken measures in a number of areas, including crisis management, psychosocial care and the prevention of violence against women, and had distributed guidelines to shelters on the

different needs of male and female victims of disasters. The Government's efforts were not centred on emergency situations alone: it actively promoted the inclusion of a gender perspective in international climate change talks. For example, it had championed greater balance in the delegations and organizations involved in the negotiation of the Framework Convention on Climate Change, had supported the decision on the Lima Work Programme on Gender that had been adopted at the twentieth session of the Conference of the Parties to the Convention and had actively promoted the inclusion of human rights and gender in the Paris Agreement.

54. **Mr. Ramet** (France), recalling that the Paris Agreement was the first universal environmental agreement to mention human rights, gender equality, intergenerational equality and decent employment explicitly, said that it was now time to capitalize on the momentum gained and adopt local and national climate change strategies that promoted gender equality and recognized the disproportionate impact that such change had on women. Moreover, women, as key elements of the solution, should be placed at the heart of all relevant strategies, including in matters of access to finance and new technologies. In that connection, France, in partnership with the Organization for Economic Cooperation and Development (OECD), would be hosting a side event on the role of women in the fight against climate change during the sixtieth session of the Commission on the Status of Women.

55. **Mr. Valencia Muñoz** (Colombia) said that climate change and disaster risk reduction posed complex challenges in terms of compliance with international obligations, such as those under the Convention. It was therefore necessary to develop practical and flexible tools to address each country's unique situation and to anchor those tools in a robust information system based on high-quality data. Women were not merely victims of climate change and disasters, they were also powerful agents for change and, as such, should participate fully in relevant decision-making.

56. **Ms. Bibalou Bounda** (Gabon) said that there was evidence that women were at greater risk of gender-based violence, had less access to humanitarian aid and tended to lose their livelihoods following natural disasters. Discrimination against women in environmental planning and management was unjustifiable considering the leading role that they played in resource management and assistance to victims of natural disasters. In Gabon, which had declared the period 2015-2025 as the Decade of Gabonese Women, climate change was a major source of concern for rural women. Accordingly, a rural women and climate change capacity-building programme was being implemented with the support of the Government of Norway. Gabon looked forward to further achievements in involving women in climate change efforts at the next Conference of the Parties in Morocco.

Oral statements by non-governmental organizations

57. **Mr. Knalfan** (Amnesty International) said that he wished to thank the Committee for the concept note that it had provided in order to focus the discussion and suggested that the general recommendation should elaborate on State obligations under articles 2 and 3 of the Convention. For example, it should address gender identity, sexual and reproductive health during and after disasters and the importance of not creating additional administrative barriers to relief aid for women and girls. Discussions about disaster risk reduction and response should be seen as an opportunity to remedy unequal enjoyment of rights and avoid becoming entrenched in familiar patterns of gender discrimination.

58. **Ms. McKernan** (Asia Pacific Forum on Women, Law and Democracy, Global Initiative for Economic, Social and Cultural Rights and Landesa Center For Women's Land Rights) said that a critical missing piece in climate change strategies was the importance of women's land rights, especially in rural areas. Securing women's land rights could enhance

resilience to climate change and strengthen the ability of communities to respond to shifting circumstances. Evidence suggested that when women held secure rights to land, efforts to tackle climate change were more successful and responsibilities and benefits associated with climate change response programmes were more equitably distributed. Conversely, without effective legal control over the land they farmed or the proceeds of their labour, women often lacked the incentive, security, opportunity or authority to make decisions about how to conserve the land and ensure its long-term productivity. Accordingly, she recommended that States should address the multiple threats posed to women's land rights by climate change, ensure that climate change strategies did not undermine women's land rights, recognize the positive impact of securing women's land rights, incorporate such rights into climate change mitigation and adaptation policies and promote women's participation and decision-making at all stages of climate change-related strategies and interventions.

59. **Mr. Gray** (Human Rights Watch) said that he welcomed the broad definition of disaster put forward by the Committee and hoped that the field research his organization had submitted would be useful in subsequent drafting of the general recommendation on gender-related dimensions of disaster risk reduction and climate change. One issue that underpinned all the others was the right of women and girls to participate in the processes to address climate change and disasters. They played an important role in natural resource management and other productive activities at the household and community levels and their extensive knowledge made them effective actors of climate change mitigation and disaster risk reduction and adaptation strategies. While governments around the world were becoming more proactive in developing such strategies and in preparing and refining disaster risk reduction plans, women and girls were often excluded from the process. The Committee should make the full participation of women and girls in all local, national and international processes in that domain a major priority. It should also ask all States parties that came before it whether women took part in planning for climate change and disasters and whether the fact that those phenomena had a different impact on men and women was integrated into planning processes. The failure to involve women in peacebuilding efforts in the past must not be repeated with regard to climate change and disasters.

60. **Ms. Chand** (International Disability Alliance) said that Fiji had recently been hit by the most powerful tropical storm in the history of the southern hemisphere and that, while the full extent of the damage was unknown, harrowing stories were already emerging of persons with disabilities being left to die, being unable to travel to shelters and having lost their assistive devices. Drawing the Committee's attention to article 11 of the Convention on the Rights of Persons with Disabilities, she said that the Committee should include women and girls with disabilities in the general recommendation. A high standard of protection and resilience were possible only through the adoption of an inclusive and participatory approach to policymaking; the enforcement of accessibility standards with regard to information, communications and the environment; and the adoption of a rights-based approach to ensure equal access to various services, food and social security in both rural and urban settings.

61. **Mr. Smith** (Sightsavers) said that the findings of research conducted by Sightsavers in Bangladesh had proved the need to make the rights of women and girls with disabilities a priority because prevailing attitudes and customs made them more vulnerable than men and restricted their movement in disaster situations and because the lack of separate shelters increased their risk of becoming victims of sexual violence. Thus it was important to involve persons with disabilities in decision-making at the local, national and international levels. He urged the Committee to prioritize the rights of women and girls with disabilities in the general recommendation and address the need to strengthen information systems and data collection, to take into account gender and disability in risk assessments and to enhance the leadership capability and resources of persons with disabilities and their

representative organizations with a view to engaging them in efforts to tackle development challenges.

Closing remarks

62. **Ms. Haidar**, thanking the participants for their valuable input, said that the main salient points were the need for greater coherence among all the various instruments dealing with climate change and disaster risk reduction, the considerable gap between policy and practice, the need for capacity-building and inclusive processes and the inadequacy of data. Other issues that had retained the Committee's attention included the need to understand risk factors, the difference between reconstruction and recovery and the importance of including a gender perspective in all phases of disaster management, from preparedness to response.

63. **The Chair**, thanking all the participants for their contribution to an informative and constructive discussion, said that it would serve as a strong foundation for the general recommendation.

The meeting rose at 1 p.m.